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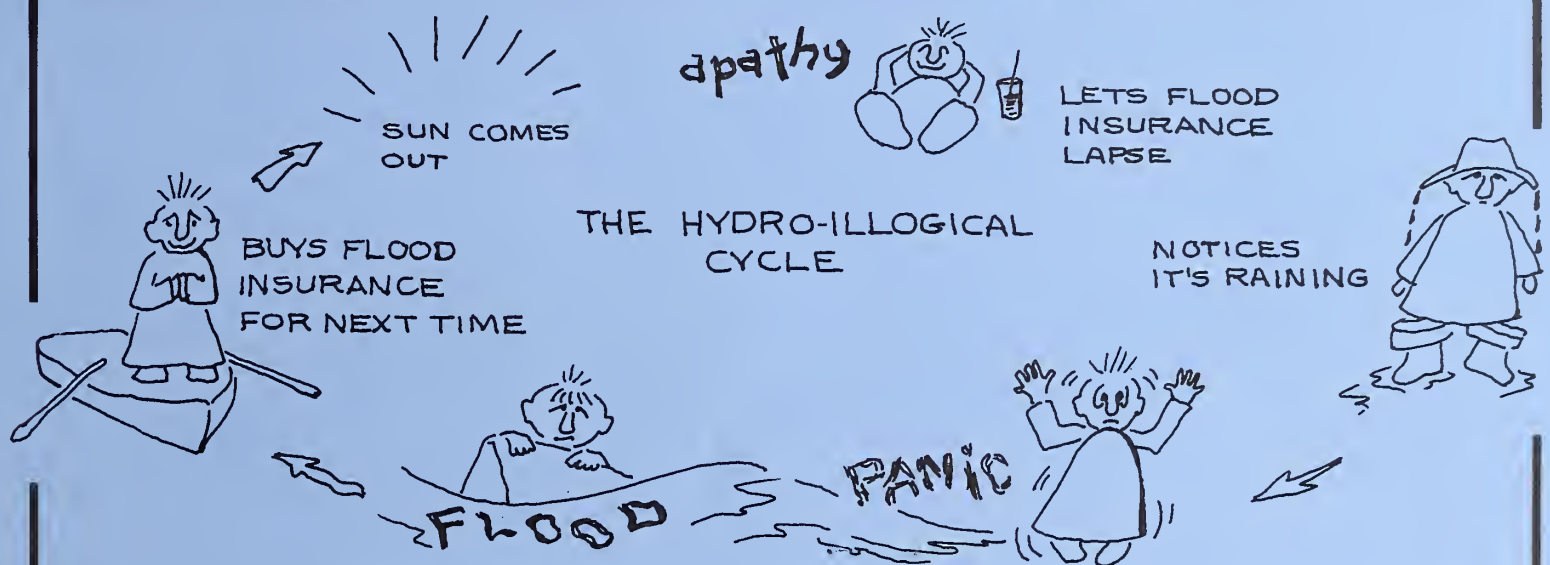
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FLOODPLAIN MANAGEMENT SECTION

444-6646

Volume 23

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UPDATING FLOODPLAIN ORDINANCES

This year many communities going from the "Emergency Program" to the "Regular Program" will be asked to update their floodplain management ordinances. We are scheduled to work with 30 communities to update their ordinances this year. A model ordinance is provided to each community. Since October 1985 we have contacted eight communities to update their ordinances. In a few cases similar questions came up. We would like to answer three of these questions.

1. What will happen if the ordinance isn't updated?

If an ordinance is not updated within the allotted six-month period, the Federal Emergency Management Agency will suspend the community from the program. Non-participation or suspension means the following sanctions will be placed on the community.

- No flood insurance policies may be sold or renewed.
- Without flood insurance you cannot get grants, loans, or guarantees made by federal agencies for purchase of property, construction, or improvements in the floodplain. This applies to Small Business Administration, Federal Housing Administration, and Veterans Administration loans. Many conventional loans also require flood insurance because of federal financing through the secondary mortgage market.

- If a flood disaster situation occurs, the community will not receive federal disaster funds for acquisition of new property or reconstruction of damaged property. "Individual and Family Grant" assistance for housing and personal property will not be available.

Suspending a community may seem harsh, but the Federal Emergency Management Agency believes that adopting a floodplain management ordinance is a fair exchange for the provision of disaster assistance and flood insurance to a community.

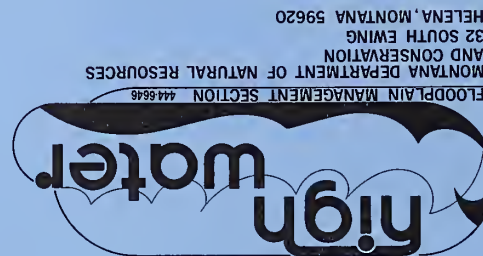
2. Will this ordinance restrict development and be a burden on land owners in the floodplain?

Development in the floodplain would more likely be restricted if flood insurance were not available and landowners could not obtain FHA, VA, or SBA loans.

In places where a 100-year flood elevation is not established only the general requirements of the ordinance apply. The general requirements call for anchoring of structures or mobile homes, flood-minimizing construction methods and materials, and proper installation of utilities, in addition to waste disposal systems designed to avoid infiltration or contamination, and subdivisions designed for adequate drainage.

3. How do we determine the 100-year flood elevation?

The "specific standards" section of the ordinance calls for the establishment of a 100-year flood elevation, based on public records. However, when accurate historical flood information is not available this is not required and the "specific standards" do not need to be enforced.



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FLOOD INSURANCE PROGRAM RULE CHANGES

The National Flood Insurance Program (NFIP) regulation changes are now final and became effective January 1, 1986.

These final rules revise the NFIP regulations dealing with floodplain management standards, program enforcement, flood zones, charges for engineering review by the Federal Emergency Management Agency (FEMA), and coverage and changes in flood insurance policy provisions. The major rule changes are outlined below:

- A community participating in the NFIP is placed on probation when FEMA determines that it is not adequately enforcing its floodplain ordinance, and assistance given to the community to achieve compliance has failed. Probation formally notifies a community of its program violations. Communities will be given 90 days "to avoid probation by demonstrating compliance with NFIP requirements, or by correcting NFIP deficiencies and remedying all violations to the maximum extent possible." A press release will be published by FEMA in a local newspaper at least 60 days before probation is to begin to explain the reasons for and the effects of probation. After October 1, 1986, a \$25.00 surcharge will be added to all policies sold or renewed in a community during the probation period. Communities are reminded that if they fail to meet compliance during the 90-day probation period, the Federal Emergency Management Agency may suspend the community from the NFIP.
- FEMA will now require a biennial report rather than an annual report from communities.
- Communities are to obtain building elevation information on all structures as evidence of sound floodplain management and not merely for insurance purposes.
- The definition of "elevated building" is clarified.
- Provisions on mobile homes were revised by deleting the specific performance standards relating to over-the-top and frame ties. A more general standard was substituted that requires mobile homes to be elevated and anchored to resist flotation, collapse, and lateral movement. Also, the mobile home must be elevated two feet above the base flood elevation.
- Several aspects of the following are clarified: Standard Flood Insurance Policies pertaining to mobile homes, government leases, finished basement coverage, sandbag coverage, and condominium policies.

FEMA will mail copies of the final rule and additional instructions regarding adoption to all participating communities.



Photographed by Jim Bond

NEW DNRC BUILDING

Christmas 1985 brought a new building to DNRC's employees. The Lee Metcalf Building was completed in December and the entire Department is now housed under one roof. We are located just two blocks east of the State Capitol Building across from the State Library. Our phone numbers have not changed, but our new address is:

1520 East Sixth Avenue
Helena, Montana 59620

The new building was designed with the "open office" concept and employs some innovative technology in heating systems including a "solar street". We are all settled in now, so come see us at our new location.

MISSOULA COUNTY PROGRAM OUTSTANDING

We would like to commend Missoula County for the thorough manner in which floodplain development permit applications are processed. In Missoula County all agencies and interested parties have an opportunity to comment on proposed activities in flood hazard areas before permits are issued. These include: the Montana departments of Natural Resources and Conservation; Health and Environmental Sciences; State Lands; Fish, Wildlife and Parks; the local Road Department; the local Board of Health; Conservation Districts; and neighboring property owners. After comments are received, a public hearing is held to consider the proposed work and the comments that were submitted by interested parties. It is ensured that all of the necessary permits, such as 310 from the Conservation District, Section 404 from the Corps of Engineers, water quality from the Department of Health, etc., are secured before construction commences. The floodplain management staff would like to congratulate Paula Jacques, Barbara Martens and the Office of Community Development in Missoula County for an outstanding job.